



**INVENTORSHIP DECLARATION BY JOINT INVENTORS**

I HEREBY DECLARE THAT:

My residence, mailing address, and citizenship are stated next to my name in PART A on hereof.

I believe I am the original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TISSUE SURFACE TREATMENT APPARATUS AND METHOD**

the specification of which:

☒ was filed on August 22, 2001 as Application Serial No. 09/938,276.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed in PART B hereof and have also identified in PART B on hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code §119(e) and §120, of any United States application(s) listed in PART C hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and any national or PCT international filing date of this application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all telephone calls to Peter J. Dehlinger at (650) 838-4401. Address all correspondence to:

**Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, CA 94026  
Customer No. 22918**

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**STATEMENT OF INVENTORS**

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**PART A: INVENTOR INFORMATION**

Full name of FIRST inventor: David L. Morris  
 Mailing Address: 960 Forest Road, Pitney  
Clinical Science Blvd., The St. George  
Hospital, Short Street  
Sydney, Kogarayi NSW 1127, Australia  
 Citizenship: AU Mail:  
 Residence (if different):  
 Inventor's Signature: [Signature] Date: 14/12/01

Full name of SECOND inventor: Eve A. Daniel  
 Mailing Address: 40874 Calido Place  
Fremont, California 94539  
 Citizenship: US  
 Residence (if different):  
 Inventor's Signature: [Signature] Date: 12/12/01

Full name of THIRD inventor: Daniel J. Balbierz  
 Mailing Address: 973 Cambridge Road  
Redwood City, California 94061  
 Citizenship: US  
 Residence (if different):  
 Inventor's Signature: [Signature] Date: 12/10/01

**PART B: CLAIM TO PRIORITY OF FOREIGN APPLICATION(S) UNDER 35 U.S.C. 119(a-d)**

Country	App. No.	Filing Date
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**PART C: CLAIM TO PRIORITY OF U.S. PROVISIONAL AND NONPROVISIONAL APPLICATION(S) UNDER 35 U.S.C. 119(e) AND 120**

Serial No.	Filing Date	Status
<u>09/797,409</u>	<u>28 February 2001</u>	<input checked="" type="checkbox"/> Pending

FEB 12 2002

PATENT & TRADEMARK OFFICE

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U.S. Department of Commerce  
Patent and Trademark Office

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):  
David L. Morris  
Steve A. Daniel  
Daniel J. Balbierz  
Add'l names of conveying parties  
attached?  
☐ Yes ☒ No

2. Name/address of receiving party:  
Rita Medical Systems, Inc.  
967 North Shoreline Blvd.  
Mountain View, California 94043  
Add'l names of receiving parties  
attached? ☐ Yes ☒ No

3. Nature of conveyance: ☒ Assignment  
☐ Merger ☐ Security Agreement ☐ Other  
☐ Change of Name ☐ Reassignment

Date of execution: 12/14/01;  
12/13/01; and 12/11/01,  
respectively;

5. Application number(s) and/or patent number(s):

If this document is being filed with a new application, the date of signature  
by the first named inventor was: \_\_\_\_\_.

A. Patent Application No.(s)  
09/938,276 filed 22 August 2001

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No

6. Name and address of party to whom  
correspondence concerning document  
should be mailed:

Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, CA 94026  
(650) 838-4300

7. Total No. of applications and  
patents involved:  
one (1)

8. Total fee (37 CFR \$3.41): \$40.00  
☒ Please charge Deposit Account  
No. 50-0665 for amount due.

Total number of pages, including  
cover sheet, attachments and  
document: 5

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10. Statement and signature:

*To the best of my knowledge and belief, the foregoing information  
is true and correct and any attached copy is a true copy of the  
original document.*

Peter J. Dehlinger  
Name of Person Signing

Signature

Date

01-04-02